

**Notice of Allowability**

Application No.

10/730,475

Examiner

Carlos Lugo

Applicant(s)

SMOCK ET AL.

Art Unit

3676

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment filed on November 23, 2005.
2. ☒ The allowed claim(s) is/are 1,8-10,21,24,26,29 and 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

1. This Office Action is in response to applicant's amendment filed on November 23, 2005.

### ***Terminal Disclaimer***

2. The terminal disclaimer filed on November 23, 2005 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of any patent granted on Application Number 10/730,296 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
4. Authorization for this examiner's amendment was given in a telephone interview with Mr. David Lockman on February 3, 2006.
5. The application has been amended as follows:
  - Claim 29 Line 13, the phrase "and the blockable member is disposed at least partially within a void between two lobes of the cam when the latch is in the unlatched position" has been deleted.

### ***Allowable Subject Matter***

6. Claims 1,8-10,21,24,26,29 and 30 are allowed.

### **Reasons For Allowance**

7. The following is an examiner's statement of reasons for allowance:

Claims 1,8,21,24,26 and 29 are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the latch includes a blockable arm having a blocked member offset from the pivot axis and that is disposed between the voids of the cam lobes (claims 1,21,24,26, and 29) and that the lock mechanism further comprises a lever member that is couple to the latch by means of a link (claim 8).

As to claims 1,21,24,26 and 29, Tame (US 4,796,932) fails to disclose that the latch includes a blockable arm having a blocked member offset from the pivot axis and that is disposed between the voids of the cam lobes.

As to claim 8, Tame fails to disclose that the lock mechanism further comprises a lever or blockable member that is couple to the latch.

Phillips (US 6,079,756) discloses a lock mechanism comprising a mounting plate (30); a latch (4); a follower surface (46); an actuator pin (60); a blocker (86); and an electromechanical actuator (82) is adapted to move the blocker.

However, Phillips fails to disclose that mechanism further comprises a lever and a link connecting the lever and the latch.

Arute (US 4,593,945) discloses an oven lock mechanism comprising a mounting plate (10); a latch (24); an actuator pin (28); a blocker (26); and an electromechanical actuator (29).

However, Arute also fails to disclose that the mechanism further comprises a lever and a link connecting the lever and the latch. Further, Arute fails to disclose that the latch includes a follower surface that the actuator pin actuates.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.L.

Carlos Lugo  
Patent Examiner  
AU 3676

February 3, 2006.



**BRIAN E. GLESSNER**  
**SUPERVISORY PATENT EXAMINER**